

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

CENTEX HOMES,

Plaintiff,

VS.

**FINANCIAL PACIFIC INSURANCE
COMPANY, *et al.*,**

Defendants.

* *

2:19-cv-01284-JCM-VCF

ORDER

STIPULATION AND PROPOSED ORDER TO
ALLOW EVEREST NATIONAL INSURANCE
COMPANY TO FILE CROSS-CLAIM AND TO
EXTEND DATE FOR CROSS-DEFENDANTS'
RESPONSIVE PLEADINGS RE 43 ANSWER
TO COMPLAINT [ECF No. 95]

Before the Court is defendants Everest National Insurance Company, Lexington Insurance, and Axis Surplus Insurance Company's stipulation and proposed order to allow Everest National Insurance company to file a cross-claim and to extend date for cross-defendants' responsive pleadings regarding the answer to complaint. (ECF No. 95). The Court orders additional briefing.

“Stipulations relating to proceedings before the court, except stipulations made in open court that are noted in the clerk’s minutes or the court reporter’s notes, must be in writing and signed by all parties who have appeared or their attorneys.” Local Rule 7-1(a). A stipulation that has been signed by fewer than all the parties or their attorneys will be treated—and must be filed—as a joint motion.” Local Rule 7-1(c).

On July 22, 2020, defendants Everest National, Lexington, and Axis filed a stipulation that would allow Everest to file an amended answer that brings cross-claims against Lexington and Axis only. (ECF No. 95). Everest, Lexington, and Axis did not have all parties who have appeared, or their attorneys, sign the stipulation prior to filing it in violation of Local Rule 7-1(a). Everest, Lexington, and Axis did not alternatively file it as a joint motion, in violation of the Local Rule 7-1(c). Despite these

1 violations, the Court will treat Everest, Lexington, and Axis's stipulation (ECF No. 95) as a joint
2 motion.

3 The remaining appearing parties have 14 days to file a response to this joint motion; Everest,
4 Lexington, and Axis have 7 days to file a reply if any party files a response.

5 Accordingly,

6 IT IS ORDERED that the parties have until Friday, August 14, 2020 to file a response to this
7 joint motion (ECF No. 95) and defendants Everest, Lexington, and Axis have until Friday, August 21,
8 2020 to file a reply.

9 DATED this 31st day of July 2020.


10 CAM FERENBACH
11 UNITED STATES MAGISTRATE JUDGE
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